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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attn: Office of Petitions

Petition for Reviving of Patent Application for  
Patent Application No 10/706,281

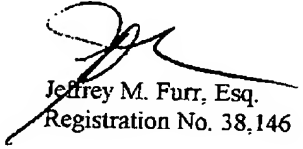
In re application of: )  
Carlos Bianchim )  
Serial Number: 10/706,281 )  
Filed: November 13, 2003 )  
For: Electronic Ballast for the Control )  
of HO Florescent Lamps )  
Examiner: Tuyet Thi Vo )

Petitions Attorney  
Mail Stop Petition  
Commissioner of Patents  
Washington, D.C. 22313-1450

Dear Attorney:

Petitioner is respectfully requesting the Reviving of Patent Application for  
Patent Application No 10/706,281 as it was assigned to the wrong Customer Number and  
Applicant did not received notice of an Office Action from the Office.

Respectfully submitted,

  
Jeffrey M. Furr, Esq.  
Registration No. 38,146

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Request for Petition for Reviving of Patent Application for  
Patent Application No 10/706,281**

Applicant contents that Patent Application No. 10/706,281 went Abandon due to an error at the Patent Office and respectfully requests that the Application be revived.

On April 18, 2005 Applicant filed a Response to a Non-Final Office Action as shown in the attached Image File Wrapper from Private Pair. Included in this Response was a Change of Power of Attorney Request (attached) to change the Attorney of Record to Customer Number, 29569 which is the Customer Number of Jeffrey Furr. Jeffrey Furr also signed the Response with his Registration Number.

The Office Assigned the Customer Number of Howison, Thoma & Arnott, L.L.P. which Applicant believes to be 29560 to the Patent Application. Applicant believes that this was a keying mistake since only one number was off.

A Notice of Non-Complaint Amendment was issued on April 29, 2005 based on the drawings. This was mailed out to Howison, Thoma & Arnott, L.L.P. who did not respond. It does not appear that they notified the Patent Office that this was not their case.


From my discussions with the Examiner, it appears that having not received a response the Examiner called Howison, Thoma & Arnott, L.L.P. to confirm that the case was to go abandon and for some reason not known to the Applicant the Examiner received that confirmation from the law firm even though Howison, Thoma & Arnott, L.L.P. did not and does not represent the Applicant and had no authority on this case. The Examiner Abandoned the Application on September 9, 2005 based on this confirmation.

Applicant found out about the Abandonment only after doing a routine search on the Application to check on the status. Since then the Applicant has discussed the Case with the Examiner and the Examiner's Supervisor and has prepared this petition based on their comments.

Applicant has attached corrected drawings that should address the Non-compliance issue and respectfully asks that the Petitions Office grants Applicant's plea to revive the application and forward it on to the Examiner for Continued Examination.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Signed at Johnstown, Ohio, this 12th day of May, 2006



Jeffrey Furr  
Registration No. 38,146  
253 N. Main Street  
Johnstown, Ohio 43031

I hereby certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service as first class mail in an envelope addressed to "Mail Stop Petitions, COMMISSIONER FOR PATENTS, WASHINGTON, DC 22313-1450."

May 12, 2006

  
\_\_\_\_\_  
Jeffrey M. Furr, Esq.  
Registration No. 38,146

I hereby certify I have transmitted this paper by fax to the Patent and Trademark Office at 571-273-8300 on May 12, 2006.

May 12, 2006

  
\_\_\_\_\_  
Jeffrey M. Furr, Esq, Reg. No. 38,146

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**10/706,281****ELECTRONIC BALLAST FOR THE CONTROL OF HO FI**

Select New Case	Application Data	Transaction History	Image File Wrapper	Foreign Priority	Published Documents	Address Attorney/Ag
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**Bibliographic Data**

Application Number:	10/706,281	Customer Number:
Filing or 371 (c) Date:	11-13-2003	Status:
Application Type:	Utility	Status Date:
Examiner Name:	VO, TUYET THI	Location:
Group Art Unit:	2821	Location Date:
Confirmation Number:	5636	Earliest Publication
Attorney Docket Number:	023853-00030	Earliest Publication Date:
Class / Subclass:	315/247	Patent Number:
First Named Inventor:	Carlos Blanchim , Curitiba, (BR)	Issue Date of Patent

Title of Invention: ELECTRONIC BALLAST FOR THE CONTROL C

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10/706,281

ELECTRONIC BALLAST FOR THE CONTROL OF HO FL

Select New Cases	Application Data	Transaction History	Image File Wrapper	Foreign Priority	Published Documents	Address & Attorney/Agent
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This application is officially maintained in electronic form. To View: Click the desired document(s) and click Start Download.

## Available Documents

Mail Room Date	Document Description	Document Category	Page Count
09-01-2005	<a href="#">Abandonment</a>	PROSECUTION	
04-29-2005	<a href="#">Miscellaneous Action with SSP</a>	PROSECUTION	
04-18-2005	<a href="#">Fee Worksheet (PTO-875)</a>	PROSECUTION	
04-18-2005	<a href="#">Claims Worksheet (PTO-2022)</a>	PROSECUTION	
04-18-2005	<a href="#">Informal or Non-Responsive Amendment</a>	PROSECUTION	
04-18-2005	<a href="#">Specification</a>	PROSECUTION	
04-18-2005	<a href="#">Claims</a>	PROSECUTION	
04-18-2005	<a href="#">Applicant Arguments/Remarks Made In an Amendment</a>	PROSECUTION	
04-18-2005	<a href="#">Drawings - Amendment Not Entered</a>	PROSECUTION	
04-18-2005	<a href="#">Power of Attorney (may include Associate POA)</a>	PROSECUTION	
04-18-2005	<a href="#">Extension of Time</a>	PROSECUTION	
12-17-2004	<a href="#">Non-Final Rejection</a>	PROSECUTION	
12-17-2004	<a href="#">Notice of Formal Drawings Required</a>	PROSECUTION	
12-17-2004	<a href="#">List of references cited by examiner</a>	PRIOR ART	
12-17-2004	<a href="#">Index of Claims</a>	PROSECUTION	
12-17-2004	<a href="#">Search Information including classification, databases and other search related notes</a>	PROSECUTION	
12-13-2004	<a href="#">Examiner's search strategy and results</a>	PROSECUTION	
04-05-2004	<a href="#">Oath or Declaration filed</a>	PROSECUTION	
04-05-2004	<a href="#">Foreign Priority Papers Filed</a>	PROSECUTION	
02-10-2004	<a href="#">Pre-Exam Formalities Notice</a>	PROSECUTION	

11-13-2003	<a href="#">Fee Worksheet (PTO-875)</a>	PROSECUTION
11-13-2003	<a href="#">Transmittal letter</a>	PROSECUTION
11-13-2003	<a href="#">Specification</a>	PROSECUTION
11-13-2003	<a href="#">Claims</a>	PROSECUTION
11-13-2003	<a href="#">Abstract</a>	PROSECUTION
11-13-2003	<a href="#">Drawings</a>	PROSECUTION

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,281	11/13/2003	Carlos Gabriel Bianchini	023853-00030	5636

29560 7590 09/01/2005

HOWISON, THOMA & ARNOTT, L.L.P.  
P.O. BOX 741715  
DALLAS, TX 75374-1715

EXAMINER

VO, TUYET THI

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 09/01/2005

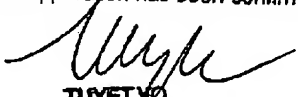
Please find below and/or attached an Office communication concerning this application or proceeding.

ST

<b>Notice of Abandonment</b>	Application No.	Applicant(s)	
	10/706,281	BIANCHIM, CARLOS GABRIEL	
	Examiner	Art Unit	
	Tuyet Vo	2821	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 17 December 2004.
  - ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - ☐ The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$ \_\_\_\_\_.
    - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☒ The reason(s) below:  
  
Abandonment of the application has been confirmed by Mr. George Oram (Reg. No. 27,931) on August 30, 2005.  
  
  
**TUYET VO**  
**PRIMARY EXAMINER**

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  
 U.S. Patent and Trademark Office  
 PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20050830





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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,281	11/13/2003	Carlos Gabriel Bianchini	023853-00030	5636
29560	7590	04/29/2005	EXAMINER	
HOWISON, THOMA & ARNOTT, L.L.P.			VO, TUYET THI	
P.O. BOX 741715			ART UNIT	
DALLAS, TX 75374-1715			PAPER NUMBER	
			2821	

DATE MAILED: 04/29/2005

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### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4-18-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☒ 3. Amendments to the drawings: See attachment
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/procnotice/officeflver.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.


If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

*Debbie Williams*  
Legal Instruments Examiner (LIE)

571-272-1640  
Telephone No.

Rev. 6/04



## Revised Amendment Practice

### *Amendments to Drawings*

- ✧ **Replacement drawing sheets** must be identified in the top margin as “Replacement Sheet.”
- ✧ **New drawing sheet** must be identified in the top margin as “New Sheet.”
- ✧ **Annotated drawing sheet** must be identified in the top margin as “Annotated Sheet.”
- Do not enter Annotated drawing sheets as part of the official drawings for the application.

# **PATENT APPLICATION FEE DETERMINATION RECORD** Effective December 8, 2004

10-706281

## **CLAIMS AS FILED - PART I**

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	7 minus 20 =	
INDEPENDENT CLAIMS	1 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

## 4-18-05 **CLAIMS AS AMENDED - PART II**

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	9	Minus 20	-
Independent	1	Minus 3	-
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐ OR OTHER THAN SMALL ENTITY

RATE	FEE		RATE	FEE
BASIC FEE	150.00	OR	BASIC FEE	300.00
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL		OR	TOTAL	

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total		Minus	
Independent		Minus	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total		Minus	
Independent		Minus	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 25=		OR	X\$50=	
X100=		OR	X200=	
+180=		OR	+360=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

CLAIMS ONLY								Application Number <b>16-706281</b>		Filing Date	
								Applicant(s)			
								* May be used for additional claims or amendments			
CLAIMS	AS FILED		AFTER FIRST AMENDMENT		AFTER SECOND AMENDMENT						
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Depend	8										
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PAGE 01

APR 18 2005

App. No. 10/706,281

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Carlos Gabriel Bianchini  
Appl. No. : 10/706,281  
Filed : 11/13/2003  
Title : Electronic ballast for HO fluorescent lamps  
Grp./A.U. : 2821  
Examiner : Tnyet Thi Vo  
Docket No. : 023853-00030

Honorable Commissioner of for Patents  
Washington, D.C. 20231

Amendment A

Sir:

In response to the Office Action mailed 2004, December 17, please and the above  
application as follows:

04/18/2005 23:45 17409675143

PAGE 02

App. No. 10/706,281

In the Specifications:

Please delete the current Title and replace with the following:

"Electronic ballast for the Control of HO fluorescent lamps"

04/18/2005 23:45 17409675143

PAGE 03

App. No. 10/706,281

In the Claims:

1 (cancelled)

2. (new) An device which comprises an electronic ballast for control and activation of ho fluorescent lamps (a) capable of operating from one to six lamps and in any environment, and incorporating a proprietary structure and containing a properly customized and integrated electronic circuit (1), arranged in a protective casing for internal and external environments, and which operates in distribution power from ninety to two hundred and fifty volts at the input of the same connection voltage point, and being formed by a power factor rectification and control block (2), a half-bridge block (3) and an ignition pulse block (4), the power factor rectification and control block (2) having the power to rectify and accommodate the electric energy to unit power factor and, at its input, an electronic circuit for the noise reduction of the electromagnetic interference (EMI); the half-bridge block (3) receiving the conditioned energy from the power factor rectification and control block (2) and making available high frequency energy (square wave) converted to alternating wave of activation and control of energy, protection against complete absence of load, delivery of power to the output blocks for a determined period of time and checking of the presence or not of load; the ignition pulse block (4) being provided with a power supply for the activation via peak-to-peak pulses and a high voltage shock protection system.

3. (new) A device as in claim 1 in which has a power factor correction circuit that utilizes a dedicated commercial integrated circuit that operates in critical conduction current mode, which provides it with a power factor close to the unit.

4. (new) A device as in claim 1 in which has an input circuit for the reduction of electromagnetic interference noises is using two EMI filters with a capacitor between them.

5. (new) A device as in claim 1 in which has an input circuit for the reduction of electromagnetic interference noises is using a plurality of EMI filters with a capacitor between them.



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6. (new) A device as in claim 1 in which has a protection system that guards the inverter power unit against overheating in the output circuit, in which the circuit controlling it is temporarily disconnected by means of a Positive Thermal Coefficient component.
7. (new) A device as in claim 1 in which said output circuit possesses a dedicated commercial circuit for the lamp ignition and control.
8. (new) A device as in claim 1 in which two capacitors are coupled in parallel with the output switches.
9. (new) A device as in claim 1 in which pre-heating is achieved by increasing the frequency above the nominal operating frequency in permanent regimen voltage for a period of time.
10. (new) A device as in claim 1 in which is capable of normal operation with an input voltage ranging from 90 Volts to 132 Volt.

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